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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/551,181	04/17/2000	YAARIT SILVERSTONE	AND1P582	1182
29838	7590	01/09/2006	EXAMINER	
OPPENHEIMER WOLFF & DONNELLY, LLP (ACCENTURE)			JEANTY, ROMAIN	
PLAZA VII, SUITE 3300			ART UNIT	
45 SOUTH SEVENTH STREET			PAPER NUMBER	
MINNEAPOLIS, MN 55402-1609			3623	

DATE MAILED: 01/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/551,181	Applicant(s) SILVERSTONE ET AL.	
	Examiner Romain Jeanty	Art Unit 3623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 November 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18, 24, 26-30 and 32-47 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 19-23, 25 and 31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on November 29, 2005 has been entered. Claims 19-23, 25, and 31.

Response to Arguments

2. Applicant's arguments with respect to claims 19-23, 25, and 31 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3 The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 19-23, 25, and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thomas et al (U.S. Patent No. 6,330,574) in view of Dilger (Asst. Management, maintenance redefined) and further in view of Anecki et al (U.S. Patent No. 6,961,902).

As per claims 19, 23, and 31, Thomas et al disclose a data structure for communicating business information comprising:

(a) providing a database including a request for proposal mechanism and a plurality of service provider data structures and a plurality of manufacturer data structures, wherein said request for proposal is a request for an economic transaction proposal, wherein each service provider data structure includes a description of service provided by a particular service provider and wherein each manufacturer data structure includes a description of offerings of a particular manufacturer, identifying a particular data structure based on a request for economic transaction proposal from a user utilizing the request for proposal mechanism, wherein the user is a service provider (i.e. a database having data structures of contractor information and bid "request for proposal" information, identifying the bid information) (col. 2, lines 45 through col. 3 line 14; col. 7, lines 20-43).

Thomas et al fail to disclose affording network-based management services to the user based on the request for proposal and the identified data structure, wherein affording project management services includes managing assets in a networked-based supply chain, including optimizing use of service provider assets and manufacturer assets and providing maintenance and service provider and manufacturer assets. Dilger in the same field of endeavor, discloses the concept of asset management and optimization. Note pages 1-4 of Dilger. It would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to have modified the disclosures of Thomas et al to incorporate an asset management and optimization as taught by Dilger. A person having ordinary skill in the art would have been motivated to use such a modification because it would allow manufactures to optimize their resources.

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The combination of Thomas et al and Dilger fails to explicitly disclose storing nondisclosure agreement mechanism for retrieval of the nondisclosure agreement data. Anecki in the same field of endeavor discloses the concept of storing and retrieving nondisclosure agreement information (col. 19 line 56 through col. 20 line 40). It would have been obvious to a person of ordinary skill in the art at the time of the applicant's invention to modify the teachings of Thomas and Dilger to include the teaching storing and retrieving the nondisclosure agreement data of Anecki so that the manufacturer can protect the information associated with a product or service.

As per claim 20, Thomas et al do not explicitly disclose the step of tracking a status of manufacturing process performed by the identified service provider. Dilger in the same field of endeavor disclose the tracking of services provided by the service provider. Note page 1 of Dilger. It would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to have modified the disclosures of Thomas et al to incorporate a tracking of service provided by a service provider as evidenced by Dilger in order to keep track of inventory of the manufacturer.

As per claims 21 and 22, Thomas et al do not explicitly disclose allowing the user to inquiry service engineers and service chemists. However, it would have been obvious to a person of ordinary skill in the art at the time of the applicant's invention to modify the teachings of Thomas to include a service engineer/chemist in order to assist businesses in meeting their needs for providing and obtain a variety of services.

Claim 25 is a computer program embodied on a computer readable medium for providing supply chain/workflow services in a contract manufacturing framework, in a contract

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manufacturing framework, a method of providing access to service for performing the steps of claim 19; therefore, claim 25 is rejected under the same rationale relied upon in claim 19.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

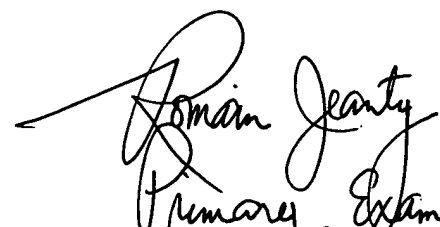
a. Hawash (Protecting Your Idea: What You Should Know About Intellectual Property Rights) discloses the concept of searching for nondisclosure agreement data.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Romain Jeanty whose telephone number is (571) 272-6732. The examiner can normally be reached on Mon-Thurs 7:30AM - 6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq R. Hafiz can be reached on (571) 272-6729. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RJ


Primary Examiner
Art Unit 3623
12/12/05